REMARKS

Claims 18, 28 and 35 are amended. Claims 18-35, as amended, remain in the application. No new matter is added by the amendments to the claims.

The Rejections:

In the Final Office Action dated December 29, 2005, the Examiner rejected Claims 18-20, 22-25, and 28-34 under 35 U.S.C. 102(e) as being anticipated by Gronemeyer et al. (U.S. Patent Number: 6,363,359).

Regarding Claim 18, the Examiner stated that Gronemeyer discloses an apparatus for using data obtained from remote monitoring of customer, equipment to generate product sales offers to customers comprising:

An input means for receiving parametric data information related to operating parameters of customer equipment being remotely monitored. (Col 2, lines 41 - 57) (The input means disclosed is not the sentinel as asserted in the amendments arguments but rather the mechanism inherently disclosed by the fact that the server receives a response from its query to the sentinel.)

An equipment database storage device connected to said input means for receiving and storing said parametric data information. (Col 5, lines 47-67) (Gronemeyer references a log file in this section that is transmitted to the server. The examiner has interpreted this, as presented in context, as a file of records relating to software and hardware on the consumers computer. A database is simply a large collection of organized data. As such, the log file as described is considered a database. In order for the server to perform operations on this database to determine the related products needed by the customer, it must inherently be stored in memory on the server. At a very minimum it would need to be stored in a temporary memory. Additionally, the examiner interprets parametric data to be data relating to parameters, measurements and values upon which the operation of a device relies. Therefore, information regarding the hardware and software on a computing system, which is included in the log file is parametric data.)

A product database storage device for storing product information related to characteristics of a plurality of products related to the customer equipment, said product information for each said characteristic including a Limit corresponding to a possible value of said parametric data information of an associated one of said operating parameters. (Col 1, lines

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29-46 and Col 5, line 47 through Col 6, line 48) (In Col., lines 29-46 Gronemeyer discloses that a product database and a cross-reference database are obvious improvements that have previously been made in the art. As such, in Col 5, lines 47-67, when the server is describes as having goods and wares separated into different categories that interact with a log file to generates sales offers it inherently contains such databases)

An offer generator means connected to said equipment database storage device and to said product database storage device for comparing a value of said stored parametric data information of a selected one of said operating parameters with at least one of said stored product information limits corresponding to said selected one operating parameter, said offer generator means generating a sales offer for a product associated with said limit directed to the customer associated with the customer equipment when said value and said limit have a predetermined relationship. (Col 3, lines 11 - 35; and Col 5, line 47 through Col 6, line 48) (The applicant asserts that Gronemeyer does not disclose the use of limits corresponding to possible values of parametric data related to operating parameters for creating offers. However, Gronemeyer specifically discloses the user of parametric data relating to computer hard drives for determining offers that are displayed to a customer)

Regarding Claim 19, the Examiner stated that Gronemeyer discloses the apparatus according to Claim 18 including a customer database storage device connected to said offer generator means for receiving said sales offer and a web server connected to said customer database storage device for sending said sales offer to the customer. (Col 5, line 47 through Col 6, line 48)

Regarding Claim 20, the Examiner stated that Gronemeyer discloses the apparatus according to Claim 19 wherein said web server generates said sales of a on a web page for viewing by the customer. (Col 4, lines 34 - 42)

Regarding Claim 22, the Examiner stated that Gronemeyer discloses the apparatus according to Claim 18 including a customer database storage device connected to said offer generator means for receiving said sales offer, said customer database storage device verifying accuracy of said sales offer against customer information stored in said customer database storage device. (Col 7, lines 56 - 64)

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Regarding Claim 23, the Examiner stated that <u>Gronemeyer</u> discloses the apparatus according to Claim 18 including a customer database storage device connected to said offer generator for receiving said sales offer, said customer database storage device using customer information stored therein for transmitting said sales offer to the customer. (Col 7, lines 56 - 64)

Regarding Claim 24, the Examiner stated that <u>Gronemeyer</u> discloses the apparatus according to Claim 18 wherein said input means includes an interface connected to the customer equipment for receiving said parametric data information, a data collector means connected to said equipment database storage device and data transfer means connected between said interface and said data collector means for transferring said parametric data information to said equipment database storage device. (Col 2, lines 41 - 57)

Regarding Claim 25, the Examiner stated that <u>Gronemeyer</u> discloses the apparatus according to Claim 18 wherein the product information includes information about devices and services related to the customer equipment. (Col 2, lines 41 - 57)

Regarding Claim 28, the Examiner stated that <u>Gronemeyer</u> discloses a method of using data obtained from remote monitoring of customer equipment to generate product sales offers, comprising the steps of:

a. Receiving parametric data information related to an operating parameter of customer equipment being remotely monitored. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

b. Storing the parametric data information in an equipment database storage device. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

c. Storing in a product database storage device product information related to a characteristic of at least one product including a limit corresponding to a possible value of the parametric data information. (Col 1, lines 29 46 and Col 5, line 47 through Col 6, line 48)

d. Comparing a value of the stored parametric data information with the limit. (Col 1, lines 29-46; Col 3, lines 11 - 35 and Col 5, line 47 through Col 6, line 48)

e. Generating a sales offer directed to a customer associated with the customer equipment when the value and the limit have a predetermined relationship. (Col 1, lines 29-46; Col 3, lines 11 - 35 and Col 5, line 47 through Col 6, line 48)

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Regarding Claim 29, the Examiner stated that Gronemeyer discloses the method according to Claim 28 including a step of storing in a customer database storage device customer information related to the customer and sending the sales offer to the customer based upon the stored customer information. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

Regarding Claim 30, the Examiner stated that Gronemeyer discloses the method according to Claim 29 including sending the sales offer to the customer by at least one of regular mail, e-mail and a web page. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

Regarding Claim 31, the Examiner stated that Gronemeyer discloses the method according to Claim 29 including using the customer information to verify, the accuracy of the sales offer. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48) (Since the sales offer sent to the customer is based upon the customer information, the accuracy of the offer in relationship to the customer information is inherently verified)

Regarding Claim 32, the Examiner stated that Gronemeyer discloses the method according to Claim 28 including a step of monitoring the customer equipment to generate the parametric data information. (Col 3, lines 11 - 37; Col 4, lines 25 - 33; and Col 7, lines 31 - 40; and Col 8, lines 11 - 14) (Applicant asserts that Gronemeyer requires a user to interact with websites for the remote monitoring to occur. The cited references disclose the operation of remote monitoring to occur without user intervention.)

Regarding Claim 33, the Examiner stated that Gronemeyer discloses the method according to Claim 28 wherein said step c. is performed by storing in the product database storage device product information related to characteristics of a plurality of devices and services. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

Regarding Claim 34, the Examiner stated that Gronemeyer discloses the method according to Claim 28 including performing said steps a through h. for a plurality of operating parameters of the customer equipment. (Col 1, lines 29 46 and Col 5, line 47 through Col 6, line 48)

The Examiner rejected Claim 21 under 35 U.S.C. 103(a) as being unpatentable over Gronemeyer in view of Palme et al (RFC 2557, MIME Encapsulation of Aggregate Documents, such as HTML). The Examiner stated that Gronemeyer discloses the apparatus according to claim 2 wherein said web server generates said sales offer as a web page (Col 6, lines 35-48).

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However, Gronemeyer does not specifically state that the generated web page is transmitted to the consumer using an email transportation protocol. In the analogous teachings of Palme, a method of encapsulating web pages in email documents is disclosed (Page 1, lines 18-37). It would have been obvious to one having ordinary skill in the art at the time the invention was made to send the generated sales offers via email. One would have been motivated to do so in order to provide potential customers with a reminder of the offer, in the event that the customer was not ready to make a purchasing decision during the browsing session.

The Examiner rejected Claims 26, 27, and 35 under 35 U.S.C. 103(a) as being unpatentable over Gronemeyer.

Regarding Claim 26, the Examiner stated that Gronemeyer discloses the apparatus according to claim 1 wherein data regarding the hard drive capacity and the maximum available storage are gathered in order to facilitate a decision by the system (Col 3, lines 11-37). While Gronemeyer does not specifically state that a threshold is used, it would have been obvious to one having ordinary skill in the art at the time the invention was made to base this decision on a threshold. One would have been motivated to do so because the criteria supplied, hard drive capacity and available storage space, would readily lend themselves to calculating a percentage figure from which the threshold would be determined and a trigger point set. (i.e. Make offer if available storage space is less than 20% of the maximum capacity).

Regarding Claim 27, the Examiner stated that Gronemeyer discloses the apparatus according to claim 1 wherein data regarding the hard drive capacity and the maximum available storage are gathered in order to facilitate a decision by the system (Col 3, lines 11-37). While Gronemeyer does not specifically state that a range is used, it would have been obvious to one having ordinary skill in the art at the time the invention was made to base this decision on a range. One would have been motivated to do so because the criteria supplied, hard drive capacity and available storage space, would readily lend themselves to calculating a percentage figure from which a range would be established. Any percentage falling within this range would then trigger the generation of an offer. (i.e. Make offer if available storage space is between 5% and 20% of the maximum capacity).

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Regarding Claim 35, the Examiner stated that <u>Gronemeyer</u> discloses an apparatus for using data obtained from remote monitoring of customer I equipment to generate product sales offers to customers comprising:

A data collector means for receiving parametric data information related to operating parameters of remotely monitored customer equipment. (Col 2, lines 41 -57)

An equipment database storage device connected to said data collector means for receiving and storing said parametric data information. (Col 5, lines 47-67)

A product database storage device for storing product information related to characteristics of a plurality of products related to the customer equipment, said product information for each said characteristic including a limit corresponding to a possible value of said parametric data information of an associated one of said operating parameters. (Col 1, lines 29-46 and Col 5, line 47 through Col 6, line 48)

An offer generator means connected to said equipment database storage device and to said product database storage device for comparing a value of said stored parametric data information of a selected one of said operating parameters with at least one of said stored product information limits corresponding to said selected one operating parameter, said offer generator means generating a sales offer for a product associated with said limit directed to the customer associated with the customer equipment when said value and said limit have a predetermined relationship. (Col 3, lines 11 - 35; and Col 5, line 47 through Col 6, line 48)

A customer database storage device connected to said offer generator means for receiving said sales offer. (Col 5, line 47 through Col 6, line 48)

A web server connected to said customer database storage device for sending said sales offer to the customer. (Col 4, lines 34 - 42)

While Gronemeyer does not explicitly state that the remotely monitored equipment includes at least one of an elevator installation and an escalator installation, it is disclosed that the remotely monitored "computing device may be a computer or other intelligent device, such as routers and switches, in addition to consumer devices such as telephones, radios, appliances, etc" (Col 9, lines 1 - 20). The only limitation placed upon such devices is that they are expected to operate in a networked environment. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to monitor elevators and escalators utilizing the

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invention disclosed by Gronemeyer. One would have been motivated to do this in order to minimize the time and resources allocated to identifying goods or services needing replacement and support. (Col 1, lines 53 - 59)

The Cited References:

Gronemeyer describes a method and a system for facilitating e-commerce transactions between clients and servers over a network. A client computing device contacts a server to receive categories of goods or services offered by the server. A category is selected, the client is searched by a sentinel loaded within the client computing device and an inspection log is prepared. The inspection log is submitted to the server and a list of the goods and services offered by the server is sent to the client, the list being determined by the selected category. The list may also contain suggested purchases determined according to past client purchases, relevance to client installed goods, or expected client needs.

Palme describes MIME formatted messages for transmission of complete multi-resource HTML multimedia documents.

The Response:

Applicant amended independent Claims 18, 28 and 35 to clarify that:

A. The parametric data information is obtained from remote monitoring of customer equipment for service purposes; and

B. The sales offer for a product associated with said limit directed to the customer associated with the customer equipment is generated when said value and said limit have a predetermined relationship representing a maintenance requirement.

These amendments to the claims are supported in the specification on Page 6, at Lines 19-28, and on Page 7, at Lines 8-30.

The claimed invention obtains from remotely monitored equipment data related to the operating parameters of the equipment for service purposes. In contrast, Gronemeyer downloads a sentinel to the client computing device during a power-on self-test (POST) if the device fails the POST, whereby the sentinel inspects the client computing device and the sentinel's inspection result is then submitted to the server.

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In the claimed invention, a sales offer is based on remotely monitored <u>operating parameters</u> like run times, trips per hour, cycle times, mechanical deterioration, and so forth. The Gronemeyer sentinel inspects the device configuration for the currently installed hardware and software and then the server sends the client computing device information concerning available upgrades and updates for the client computing device.

In the claimed invention, the sales offer is maintenance oriented such as a replacement part evaluation by remote monitoring and replacement part offering based upon a limit being exceeded. In Gronemeyer, the sales offer is market oriented such as new computer products and software.

Amended Claims 18-35 define an apparatus and a method for generating product sales offers to customers tailored to specific needs of the customer using information obtained from remotely monitoring customer equipment, such as elevators or escalators, for service purposes. The gathered data are related to operating parameters of the centrally monitored customer equipment. In contrast, the Gronemeyer system refers to local sentinels inspecting configuration information and sending it to decentralized servers.

Amended independent Claims 18, 28 and 35 all define either an apparatus or a method including receiving parametric data information related to operating parameters of customer equipment being remotely monitored for service purposes. The Gronemeyer system does not remotely monitor the client computing device for parametric data information related to operating parameters of the client computing device. In the description cited by the Examiner (Col 2, lines 41-57), the client initiates contact with the Gronemeyer server based upon the client's interest in goods or services being offered. In response, the server queries the sentinel for the inspection log of goods installed on the client computing device. The server does not remotely monitor the operating parameters of the client computing device for service purposes and the information in the inspection log is not parametric data information related to the operating parameters of the client computing device.

Amended independent Claims 18, 28 and 35 all define either an apparatus or a method including a product database storage device for storing product information related to characteristics of a product including a limit corresponding to a possible value of the parametric data information. The Examiner cites Col. 1, Lines 29-46, and Col. 5, Line 47 through Col. 6,

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Line 48. Gronemeyer discusses a cross-reference database for suggesting products related to the intended purchase and generating a log of installed hardware and software. Nowhere in Gronemeyer is it stated or suggested that the product information stored on the server includes a limit corresponding to a possible value of parametric data information of an associated operating parameter.

Amended independent Claims 18, 28 and 35 all define either an apparatus or a method including an offer generator means connected to the equipment database storage device and to the product database storage device for comparing a value of the stored parametric data information of a selected one of the operating parameters with at least one of the stored product information limits corresponding to the selected one operating parameter, the offer generator means generating a sales offer for a product associated with the limit directed to the customer associated with the customer equipment when the value and the limit have a predetermined relationship representing a maintenance requirement. Nowhere in Gronemeyer is it stated or suggested that the server generates an offer of goods or services based upon a predetermined relationship between the value of parametric data information and a limit of the possible value associated with an operating parameter.

In summary, Gronemeyer describes a method and a system for facilitating e-commerce transactions between clients and servers over a network wherein the client initiates contact with the server and selects a category of goods or services offered by the server. The client computing device is searched by a sentinel loaded within the client computing device, an inspection log of installed devices is submitted to the server and a list of the goods and services offered by the server is sent to the client, the list being determined by the selected category.

In contrast, Applicant's amended Claims 18-35 define an apparatus and a method that receives parametric data information related to operating parameters of customer equipment being remotely monitored for service purposes. When a value of the parametric data information has a predetermined relationship with a limit corresponding to a possible value of the parametric data information corresponding to an associated operating parameter, a sales offer is generated to the customer for a product associated with the limit. For example, as described at lines 5-15 on page 8 of the specification, the parametric data information can be elevator equipment room temperature being monitored by an elevator service company. A value of the temperature is

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compared with a temperature limit to generate a sales offer for a heater when there is a predetermined relationship between the value and the limit. The Gronemeyer system does not perform in this manner as explained above.

In view of the amendments to the claims and the above arguments, Applicant believes that the claims of record now define patentable subject matter over the art of record. Accordingly, an early Notice of Allowance is respectfully requested.

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